

UNITED STATES BANKRUPTCY COURT  
DISTRICT OF NEW JERSEY

Caption in Compliance with D.N.J. LBR 9004-1(b)

Denise Carlon, Esquire

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Attorneys for Secured Creditor

Specialized Loan Servicing as servicer for

Citigroup Mortgage, et al



Order Filed on April 16, 2017  
by Clerk  
U.S. Bankruptcy Court  
District of New Jersey

In Re:

David R. Racioppi,

Debtors.

Case No.: 16-17897-MBK

Adv. No.:

Hearing Date: 3/28/2017 @ 9:00 a.m..

Judge: Michael B. Kaplan

**ORDER CURING POST-PETITION ARREARS & RESOLVING MOTION FOR  
RELIEF FROM STAY**

The relief set forth on the following pages, numbered two (2) through two (2) is hereby  
**ORDERED.**

**DATED: April 16, 2017**

  
Honorable Michael B. Kaplan  
United States Bankruptcy Judge

(Page 2)

Debtor: David R. Racippi

Case No: 16-17897-MBK

Caption of Order: ORDER CURING POST-PETITION ARREARS AND RESOLVING MOTION FOR RELIEF FROM STAY

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This matter having been brought before the Court by KML Law Group, P.C., attorneys for Secured Creditor, Specialized Loan Servicing, as servicer for Citigroup Mortgage Loan Trust Inc., Asset-Backed Pass-Through Certificates Series 2005-HE3, Denise Carlon appearing, upon a motion to vacate the automatic stay as to real property located at 6 Irene Court, Edison, NJ 08820, and it appearing that notice of said motion was properly served upon all parties concerned, and this Court having considered the representations of attorneys for Secured Creditor and Justin Gillman, Esquire, attorney for Debtor, and for good cause having been shown

It is **ORDERED, ADJUDGED and DECREED** that as of March 22, 2017, Debtors are in arrears outside of the Chapter 13 Plan to Secured Creditor for payments due December 2016 through March 2017 for a total post-petition default of \$13,887.80 (4 @ \$3,471.95); and

It is further **ORDERED, ADJUDGED and DECREED** that the balance of the arrears in the amount of \$13,887.80 will be paid over six months by Debtor remitting \$2,314.64 per month, which additional payments shall begin on April 1, 2017 until the post-petition arrears are cured; and

It is further **ORDERED, ADJUDGED and DECREED** that regular mortgage payments are to resume April 1, 2017, directly to Secured Creditor's servicer (Note: the amount of the monthly mortgage payment is subject to change according to the terms of the note and mortgage); and

It is further **ORDERED, ADJUDGED and DECREED** that for the Duration of Debtor's Chapter 13 bankruptcy proceeding, if any of the cure payments or regular monthly mortgage payments are not made within thirty (30) days of the date said payment is due, Secured Creditor may obtain an Order Vacating Automatic Stay as to Real Property by submitting a Certification of Default to the Court indicating such payment is more than thirty days late, and Debtors shall have fourteen days to respond; and

It is further **ORDERED, ADJUDGED and DECREED** that a copy of any such application, supporting certification, and proposed Order must be served on the Trustee, Debtor, and Debtor's counsel at the time of submission to the Court; and

It is further **ORDERED, ADJUDGED and DECREED** that Secured Creditor is hereby awarded reimbursement of fees and costs in the sum of \$350.00 for attorneys' fees and \$181.00 for filing fees, totaling \$531.00, which is to be paid through Debtors' Chapter 13 plan and the motion is hereby resolved.

**Certificate of Notice Page 3 of 3**  
United States Bankruptcy Court  
District of New Jersey

In re:  
David R Racioppi  
Debtor

Case No. 16-17897-MBK  
Chapter 13

**CERTIFICATE OF NOTICE**

District/off: 0312-3

User: admin  
Form ID: pdf903

Page 1 of 1  
Total Noticed: 1

Date Rcvd: Apr 19, 2017

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Apr 21, 2017.

db +David R Racioppi, 6 Irene Court, Edison, NJ 08820-1024

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.  
NONE. TOTAL: 0

\*\*\*\*\* BYPASSED RECIPIENTS \*\*\*\*\*

NONE. TOTAL: 0

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP.  
USPS regulations require that automation-compatible mail display the correct ZIP.

Transmission times for electronic delivery are Eastern Time zone.

**I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.**

**Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.**

Date: Apr 21, 2017

Signature: /s/Joseph Speetjens

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**CM/ECF NOTICE OF ELECTRONIC FILING**

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on April 19, 2017 at the address(es) listed below:

Albert Russo on behalf of Trustee Albert Russo docs@russotrustee.com

Albert Russo docs@russotrustee.com

Denise E. Carlon on behalf of Creditor Specialized Loan Servicing LLC, as servicer for Citigroup Mortgage Loan Trust Inc. Asset-Backed Pass-Through Certificates Series 2005-HE3, U.S. Bank National Association, as Trustee dcarlon@kmlawgroup.com, bkgroup@kmlawgroup.com

Francesca Ann Arcure on behalf of Creditor Specialized Loan Servicing LLC as servicing agent for Citigroup Mortgage Loan Trust Inc. Asset-Backed Pass-Through Certificates Series 2005-HE3, U.S. Bank National Association, as Trustee nj\_ecf\_notices@buckleymadole.com

Justin M Gillman on behalf of Debtor David R Racioppi abgillman@optonline.net

TOTAL: 5